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M E M O R A N D U M

TO: All Retirement Boards

FROM: Joseph E. Connarton, Executive Director

RE: Elimination of the remarriage penalty and
increased benefit under G.L. c. 32, § 12(2)(d)

DATE: August 15, 2000

ELIMINATION OF THE REMARRIAGE PENALTY

Sections 87, 88, 97, 98, 99 and 100 of Chapter 159 of the Acts of 2000 (the FY 2001 state budget) make changes to G.L. c. 32, §§ 9, 12(2)(d), 100 and 101 to eliminate provisions which change or eliminate benefits to spouses of deceased members who remarry. These provisions are effective as of July 1, 2000 and any allowances which have been terminated or reduced due to remarriage from that date forward must be reinstated and/or recalculated. This does not apply to any benefits which were terminated or reduced prior to July 1, 2000. The relevant sections of G.L. c. 32 are effected as provided below:

In G.L. c. 32, § 9, an eligible surviving spouse now receives benefits under this section until his or her death, regardless of whether he or she remarries.

In G.L. c. 32, § 12(2)(d), a spouse receiving a benefit under this section who remarries now does not lose the \$250 per month minimum benefit.

In G.L. c. 32, § 100, a surviving spouse who remarries now continues to receive a benefit under this section. Also, the guardian of a child of a deceased firefighter receives a benefit only upon the death and not the remarriage of the surviving spouse.

In G.L. c. 32, § 101, a widow of a disabled public employee who could not provide a benefit for his or her spouse now continues to receive an allowance under this section when he or she remarries.

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TO: All Retirement Boards
FROM: Joseph E. Connarton, Executive Director
RE: Elimination of the remarriage penalty and
increased benefit under G.L. c. 32, § 12(2)(d)
DATE: August 15, 2000

INCREASED BENEFIT UNDER G.L. c. 32, § 12(2)(d)

Sections 89, 90 and 486 of Chapter 159 of the Acts of 2000 (the FY 2001 state budget) make changes to G.L. c. 32, § 12(2)(d), increasing the benefit for eligible beneficiaries of a member in service who dies. The eligible beneficiary will now receive the full Option C amount that the member would have received had the member retired on the date he or she died. This increase will only be effective for applications for § 12(2)(d) filed subsequent to February 1, 2000. Any application filed on or after February 1, 2000 must be recalculated.

We trust the foregoing is of assistance. Additional memoranda on other aspects of the state budget will be forthcoming. If you have further questions or concerns, please contact this office.